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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DIVECHA, KAMAL B

ART UNIT	PAPER NUMBER
2151	

2151

DATE MAILED: 08/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/990,005	Applicant(s) PARRY, TRAVIS J.
Examiner KAMAL B. DIVECHA	Art Unit 2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 August 2005.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 November 2001 is/are: a) accepted or b) objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Response to Arguments

Claims 1-22 are pending in this Office Action.

Applicant has amended the specification to overcome the objection. Examiner therefore withdraws the previous objection made to specification.

Applicant's arguments filed August 3, 2005 have been fully considered but they are not persuasive.

Applicant's definition of Imaging Device

As per applicant, Imaging devices such as printers, projectors, displays, faxes, multi-function copiers, terminals and other such imaging device, are typically networked in modern environment (applicant specification, pg. 1 paragraph 2 and pg. 4-5 paragraph 19). Therefore, as per applicant, terminals and displays are also known as imaging devices (see above).

Applicant Admissions

Applicant respectfully admitted that Schlonski et al. (hereinafter Schlonski) discloses a system where a management program on a server or workstation (terminal or display) scans the network for new printers via simple network management protocol and provides a user interface based on the server or workstation (a display or a terminal) to copy the configuration from a template printer (imaging device) to a new printer (imaging device) on the network via access to the embedded webservers of the printers through the management program and its discovered list of printers (applicant's remarks, pg. 7).

In response to applicant argument (pg. 7, pg. 9) that Schlonski fails to teach or disclose an imaging device that communicates a configuration change from a first imaging device to at least one other imaging device utilizing a list of other imaging devices stored on the first imaging

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device, examiner respectfully disagrees with the applicant based on the examples provided by the applicant of the imaging devices and the applicant's admission. Schlonski explicitly discloses and teaches the process of communicating the configuration change from the template printer (consider server attached with a template printer is the first imaging device, see fig 1 of Schlonski) to at least one other imaging device (new printer or second imaging device) from a list of other printers (imaging devices) stored on the server with the template printer (see Schlonski, fig. 4: shows the selection of a template printer that is associated with the server or terminal or display; fig. 5: shows the selection of printers to be cloned or configured from a list of other printers or imaging devices that is stored on the server or workstation or terminal or display associated with template printer). Therefore, Schlonski does teach and disclose all the elements of claims 11-13, 15-16 and 19-22.

In response to applicant's argument (pg. 7, 9-12) that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., an imaging device that communicates a configuration change from a first imaging device to at least one other imaging device "utilizing" a list of other imaging devices stored on the first imaging device) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant argument (pg. 8) that Schlonski fails to teach or disclose such a method of configuring a plurality of imaging devices coupled to a network, the examiner disagrees because applicant admitted and agreed that Schlonski discloses a system where a management program on a server or workstation scans the network for new printers via simple

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network management protocol and provides a user interface based on the server or workstation (a display or a terminal) to copy the configuration from a template printer (imaging device) to a new printer (imaging device) on the network via access to the embedded webservers of the printers through the management program and its discovered list of printers (applicant's remarks, pg. 7). Therefore, Schlonski does teach and disclose such a method of configuring a plurality of imaging devices coupled to a network (see the reasons above).

In response to applicant's argument (pg. 8) with respect to claim 15 that Schlonski fails to teach a method of configuring one or more other imaging devices in response to the configuration change of the first imaging device, wherein one or more other imaging devices are selected from a list stored on the first imaging device, examiner disagrees and further cites fig. 3-5 of Schlonski. Fig. 3-5 explicitly shows and teaches the process of configuring one or more other imaging devices in response to the configuration change of the first imaging device, wherein one or more other imaging devices are selected from a list stored on the first imaging device. Therefore, Schlonski does teach and disclose such a method of operating a plurality of imaging devices as shown in fig. 3-5.

In response to applicant arguments (pg. 8) with respect to claim 21 that Schlonski fails to teach or suggest a method of processing a configuration change on a first imaging device, referring to a list of other imaging devices stored in the first imaging device and configuring at least one imaging device from the list in response to the configuration change of the first imaging device, examiner disagrees and cites fig. 3 that shows the process of processing the new template printer configuration to the template printer (fig. 3 item #310 and 306), referring to a list of other imaging devices stored in the first imaging device (see fig. 4: shows the list of imaging devices);

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and configuring at least one imaging device from the list in response to the configuration change of the imaging device (see fig. 3 item #310, pg. 4 block #38, fig. 4 and fig. 5). Therefore, Schlonski does teach such a computer-usable medium and method and as such Schlonski discloses all the limitations of independent claim 21.

In response to applicant arguments (pg. 9) that Carcerano fails to teach or suggest an imaging device that communicates a configuration change from a first imaging device to at least one other imaging device utilizing a list of other imaging device stored on the first imaging device, examiner states that this feature is disclose by Schlonski as Carcerano was brought in just to show the inherent feature of Schlonski imaging device (i.e. imaging device comprising a processor coupled to a computer usable media).

Therefore, combining the elements of Schlonski with Carcerano explicitly teach, suggest and disclose all the elements of claims 1-4 and 8.

In response to applicants arguments (pg. 10) that Schlonski and Carcerano fail to teach or suggest all elements of claim 1, from which claim 7 depends from, examiner respectfully disagree for the same reasons as set forth above. Applicant respectfully admits that Mathieson discloses a print queue manager that allows a user or administrator to view and manage the jobs in multiple job queues at the same time (see Mathieson abstract, summary). Therefore, Mathieson does teach and suggest the limitation disclosed in claim 7 and as such combining the elements of Schlonski and Carcerano with Mathieson discloses all the elements of claims 1 and 7.

In response to applicant arguments (pg. 10) that Hawes fails to teach an imaging device that communicates a configuration change from a first imaging device to at least one other

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imaging device utilizing a list of other imaging devices stored on the first imaging device, examiner states that Schlonski teaches and discloses an imaging device that communicates a configuration change from a first imaging device to at least one other imaging device utilizing a list of other imaging devices as set forth above.

Therefore, the combination of Schlonski, Carcerano, Hawes, Mathieson and Mixer discloses all the features/elements/limitations of the claimed invention presented as claims 1-22. As such, at least for the reasons set forth above, the rejection is maintained.

DETAILED ACTION

Claims 1-22 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 11-13, 15-16, 19-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1).

As per claim 11, Schlonski discloses a method of configuring a plurality of imaging devices coupled to a network, the method comprising: communicating a configuration change to an embedded webserver of a first imaging device (pg. 3 block #32, pg. 4 block #38 and fig. 3 item #310); and communicating the configuration change from the first imaging device to at least

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one other imaging device from a list of other imaging devices stored on the first imaging device (pg. 1 block #9, pg. 3 block #27 and fig. 3-4).

As per claim 12, Schlonski discloses the process of generating the list of other imaging devices and storing the list of other imaging devices in the first imaging device (pg. 3 block #27, pg. 2 block #15, fig. 2 item #106 and fig. 4).

As per claim 13, Schlonski discloses the process of generating the list of other imaging devices similar to the first imaging devices (pg. 1 block #9, pg. 3 block #27-29, 34 and fig. 4).

As per claim 15, Schlonski discloses a method of operating a plurality of imaging devices, the method comprising: communicating a configuration change to an embedded webserver of a first imaging device; processing the configuration change on the first imaging device, thereby generating a configuration on the first imaging device (pg. 3 block #32, pg. 4 block #38 and fig. 3 item #310); and configuring one or more other devices in response to the configuration change of the first imaging device, wherein the one or more other imaging devices are selected from a list stored on the first imaging device (pg. 4 block #40 and fig. 3-5).

As per claim 16, Schlonski discloses the process of configuring the one or more other imaging devices further by communicating the configuration of the first imaging device to the one or more other imaging devices (fig. 3-4).

As per claim 19, Schlonski discloses the process of communicating a configuration from an originating network device that is selected from group consisting of local network site, and a remote network site (fig. 4 and fig. 1).

As per claim 20, Schlonski discloses the process of communicating configuration from a network site that is another imaging device (fig. 3, fig. 4 and fig. 1).

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As per claim 21, Schlonski discloses a computer-usable medium having computer readable instructions stored thereon for execution by a processor to perform a method comprising: processing a configuration change on a first imaging device (fig. 3 item #310); refereeing to a list of other imaging devices stored in the first imaging device (fig. 4); and configuring at least one imaging device from the list in response to the configuration change of the first imaging device (fig. 5 and pg. 4 block #40 and fig. 3).

As per claim 22, Schlonski discloses the process of configuring at least one imaging device from a list using a configuration of the first imaging device (fig. 4: displays a list of printers to select the printer to be used as a template in configuring other printers, fig. 5: displays the printers to be selected in order to be cloned or configured by using template of other printer).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Carcerano et al. (U. S. Patent No. 6,308,205 B1).

As per claim 1, Schlonski discloses an imaging device, comprising: a processor adapted for communication with a network using an embedded webserver (pg. 3 block #32 and applicant admitted prior art AAPA, pg. 2 block 7); wherein the processor is adapted to store a

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configuration (pg. 3 block #35 and fig. 2 item #106 and AAPA pg. 2 block 7); wherein the processor is adapted to store a list of other imaging devices in data depository (fig. 2 item #106 and fig. 4); and wherein processor is adapted to transmit the configuration through the embedded webserver addresses to at least one of the other imaging devices of the stored list (fig. 3 item #306, 308 and pg. 3 block #36), however Schlonski does not explicitly disclose a device with a computer-usable media coupled to the processor.

Carcerano, from the same field of endeavor explicitly discloses an imaging device comprising a processor for communication with a network using an embedded webserver and a computer-usable media coupled to the processor (fig. 4 item #91, 93, 95). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Carcerano as stated above with Schlonski in order to provide a computer-usable media coupled to the processor. One of ordinary skilled in the art would have been motivated because all of the networked devices are generally includes a processor and a computer-readable media (AAPA, pg. 2 block #7) and further as to provide storage to processor during execution of software applications (Carcerano, col. 8 L12-14).

As per claim 2, Schlonski discloses the process and system for discovering the list of other imaging devices (pg. 3 block #27-28).

As per claim 3, Schlonski discloses the process for discovering other imaging devices that are similar to the imaging device (fig. 2, fig. 3 item #304 and pg. 4 item #39).

As per claim 4, Schlonski does not explicitly disclose the process wherein the embedded webserver is a function of the processor in response to computer-readable instructions stored on the computer-usable media. Carcerano discloses the process wherein the processor loads process

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steps from a computer-readable medium into main memory and the processor then executes the stored process steps from main memory in order to execute application programs such as an HTTP server (read as processor executing an embedded webserver application in response to computer readable instructions, col. 8 L12-20). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Carcerano as stated above with Schlonski in order to execute the embedded webserver application. One of ordinary skilled in the art would have been motivated because it would have executed the application programs and/or software applications such as http server (an embedded webserver, col. 8 L14-20).

As per claim 8, Schlonski discloses the process wherein the configuration for transmission to at least one of he other imaging devices is sourced form an originating network device that is selected from the group consisting of imaging device, a local network site and a remote network site (fig. 1 and pg. 3 block #36 and fig. 4).

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Carcerano et al. (U. S. Patent No. 6,308,205 B1), and further in view of Mathieson (Pub. No.: US 2002/0143915 A1).

As per claim 7, Schlonski in view of Carcerano discloses an imaging device with embedded webserver adapted to process of imaging device upgrade command (Schlonski, fig. 4-5 and pg. 3 block #32), however, Schlonski in view of Carcerano does not explicitly disclose the commands including upgrade firmware, upgrade software, upgrade supplemental information, online, offline, restart, reset, purge job, pause job, and manage job queue.

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Mathieson discloses the process of managing job queues including the process of cancel/pause job and hold jobs (pg. 1 block #15, 18). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Schlonski in view of Carcerano to provide the following commands: upgrade firmware, upgrade software, upgrade supplemental information, online, offline, restart, reset, purge job, pause job, and manage job as this functions are well known in the art.

One of ordinary skilled in the art would have been motivated because it would have configured plurality of digital printers on a network and would have further provided a mechanism for managing print jobs by manipulating any of the jobs in the queues.

4. Claims 5-6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Carcerano et al. (U. S. Patent No. 6,308,205 B1), and further in view of Hawes (U. S. Patent No. 6,026,436).

As per claim 5, Schlonski in view of Carcerano does not explicitly disclose the process wherein the embedded webserver is adapted to process an upload of configuration selected from the group consisting of configuration parameters, configuration parameters with a mask, firmware, software, supplemental information, configuration parameters from a network site, configuration parameters with a mask from a network site, firmware from a network site, software from a network site, supplemental information from a network site. Hawes discloses the system wherein the properties form (read as configuration form) is posted to the device (uploaded, col. 9 L4-17) and embedded webserver of the destination device processes an upload of configuration and/or sets the relevant properties, with the http service (col. 9 L18-29 and fig. 5-7 and fig. 4 item #102: read as network site). Hawes further teaches that many more

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configuration values than those shown in form of fig. 6-7 may be provided (col. 8 L58-64).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Hawes and combine with Schlonski and Carcerano in order to process an upload of configuration data. One of ordinary skilled in the art would have been motivated so that the other network devices would have been configured in a most efficient and timely manner by copying the configuration and/or settings from one device to another.

As per claim 6, Schlonski in view of Carcerano does not explicitly disclose the process wherein the embedded webserver is adapted to download information from the group consisting of configuration parameters, configuration parameters with a mask, firmware, software, supplemental information, configuration parameters from a network site, configuration parameters with a mask from a network site, firmware from a network site, software from a network site, supplemental information from a network site. Hawes discloses the system wherein the embedded server is adapted to download information from a network site (fig. 4, fig. 6-7, col. 8 L30-58 and col. 9 L18-20). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Hawes and combine with Schlonski and Carcerano in order to download information. One of ordinary skilled in the art would have been motivated because of the same reasons as set forth in claim 5.

As per claim 10, Schlonski in view of Carcerano does not explicitly disclose the process of transmitting configuration to at least one other imaging device via a protocol that is selected from the group consisting http protocol, https protocol, printer mark-up language and a compatible imaging device communication protocol. Hawes, from the same field of endeavor discloses the process of sending configuration to other imaging device via http or https, SNMP

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(col. 7 L37-39) and Hawes further teaches that any other type of communication protocol could provide getting/setting functionality of servers (col. 8 L3-30 and fig. 4). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Hawes with Schlonski and Carcerano in order to send configuration via a compatible imaging device protocol. One of ordinary skilled in the art would have been motivated so that the plurality of network devices is configured efficiently. One of ordinary skilled in the art would have also been motivated to use http as interfaces because of the following reasons: first, development costs are lower and deployment schedules shorter since the mechanism can be used by many clients without the necessity of writing the client display software (often referred to as "user interface" or UI) for each operating system and processor that clients use. Second, it is straightforward to define multi-lingual interfaces by storing the information in multiple languages on the server, permitting the server to be accessed in multiple languages by different clients concurrently. Third, upgrades or changes can be made to the print or document processing machine's capabilities without the inconvenience of the vendor developing new client display software and of the client having to install new software on every client computer for each such upgrade (Hawes, col. 3 L16-34).

As per claim 9, it does not teach or further define over the limitations in claims 5-6 and 10. Therefore, claim 9 is rejected for the same reasons as set forth in claims 5-6 and 10.

5. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being obvious over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Hawes (U. S. Patent No. 6,026,436).

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As per claim 17-18, they recite the same limitations as in claims 5 and claim 7.

Therefore, claims 17-18 are rejected for the same reasons as set forth in claims 5 and 7.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being obvious over Schlonski et al. (hereinafter Schlonski, Pub. No.: US 2002/0196451 A1) in view of Mixer, Jr. (hereinafter Mixer, U. S. Patent No. 6,693,722 B1).

As per claim 14, Schlonski does not explicitly disclose the process of translating the configuration change to a printer protocol compatible with other imaging device prior to communicating the configuration change to that other imaging device.

Mixer, from the same field of endeavor discloses the process of converting the data stream (read as configuration data) from a protocol native to the device to the protocol compatible with the device (col. 1 L38-58). Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Mixer as stated above with Schlonski in order to translate the configuration data to a printer compatible protocol data prior to communicating the configuration to the other device.

One of ordinary skilled in the art would have been motivated because it would have enabled the communications between network devices with different standards and protocols (Mixer, col. 1 L15-58).

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Barrett et al., U. S. Patent No. 5,323,393.
- b. Webb et al., Pub. No.: US 2002/0083342 A1.

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- c. Levac et al., U. S. Patent No. 5,872,926.
- d. Chiles et al., U. S. Patent No. 6,167,567.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Flex schedule 8 hr days (10.00am-6.30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KD

August 22, 2005.


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER